

## BOARD OF SELECTMEN

Minutes of the Meeting of 12 April 2006 at 7:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki and Michael Kopko. Chairman Willauer called the meeting to order at 7:00 PM.

Announcements. Chairman Willauer congratulated all candidates of the election of April 11, 2006 and welcomed new selectman Mr. Kopko.

Public Comment. None.

Approval of Minutes of 30 March 2006 at 4:00 PM, 27 March 2006 at 4:00 AM, 23 March 2006 at 4:00 PM, 22 March 2006 at 7:00 PM, 20 March 2006 at 10:00 AM, 15 March 2006 at 7:00 PM. Following Board discussion and consent, Mr. Glowacki moved to approve the minutes as a group. Mr. Chadwick seconded. So voted unanimously.

Approval of Payroll Warrant for Week Ending 9 April 2006. Mr. Bennett moved to approve the payroll warrant. Mr. Glowacki seconded. So voted unanimously.

Approval of Treasury Warrant and Pending Contracts for Week Ending 12 April 2006. Mr. Glowacki moved to approve the treasury warrant and pending contracts. Mr. Kopko seconded. So voted unanimously.

### Selectmen's Reports/Comments.

Deliberation Toward Decision on Taxi License Transfer/Revocation. Chairman Willauer noted that this item would be taken out of order to allow off-island Attorney David Lawler to meet his return travel plans. Mr. Kopko and Town Administrator Libby Gibson recused themselves from the deliberation. Chairman Willauer noted that the Board would deliberate without public input and reviewed the options provided by Town Counsel, asking for a motion to vote on the transfer request of John Grangrade to Lisa Fisher of the A-1 Taxi license. Discussion followed on the sequence of matters to be addressed. Mr. Chadwick suggested dealing with the matter of the revocation of the A-1 Taxi license before the one on the transfer, to which the board consented. Discussion followed on the transfer occurring without the Board's permission. Chief Pittman clarified the matters of the transfer of control applying to all the A-1 cabs and the issue of two vehicles having ownership changes without permission of the Board. Mr. Lawler objected to the comments by Chief Pittman. Mr. Chadwick moved that the Board revoke the license of Mr. Grangrade. Mr. Bennett seconded the motion for the purpose of discussion and spoke to compromise possibilities. Mr. Glowacki noted control of the vehicles and license and referenced regulations and taxi waiting list, noting there is "no solution." He suggested there is a need for a revision of the taxi regulations prior to the Board making a decision(s) on the transfer/revocation. Mr. Chadwick suggested a friendly amendment to revoke the license as issued and to table the transfer until a future date following revision of the regulations. Mr. Lawler objected.

Mr. Bennett moved to revoke the license but noted his wish for not revoking all four vehicles. Chairman Willauer seconded. On the initial motion to revoke the license for all four cabs, Mr. Chadwick and Chairman Willauer voted in favor and Mr. Bennett and Mr. Glowacki voted against.

Mr. Bennett stated that he was not ready to terminate any licenses tonight and moved to continue the deliberation for two weeks. Discussion followed on settling the matter tonight and on seeking a compromise. Chief Pittman made the distinction that there were two public hearings for two separate matters. Mr. Lawler raised a point of order and asked the Board for a vote on the transfer. Chairman Willauer posed the question to the Board on whether it chooses to vote the transfer, to which consent was given. Mr. Glowacki, Mr. Chadwick and Mr. Willauer voted no. Mr. Bennett abstained.

Citizen/Departmental Requests.

Conservation Commission: Resignation. Mr. Kopko moved to accept the resignation of Peter Hull and to send a letter of thanks for his service. Mr. Chadwick seconded. So voted unanimously.

Town Administration: Request for Execution of Documents in Connection with Taking by Eminent Domain of Two (2) Parcels Along Monomoy Creeks in Accordance with Article 81 (Real Property Acquisition & Disposition: Spruce Street) of 2004 Annual Town Meeting. Town Administrator Libby Gibson introduced the matter noting that an imperfect title will be perfected so the Town owns outright, the parcels for public access purposes to the water. Planning Director Andrew Vorce provided detail for the almost acre of land to be dedicated to open space. Mr. Chadwick moved to approve the request and to execute the documents as needed. Mr. Kopko seconded. So voted unanimously.

Selectmen's Goals/Initiatives

Action on Harbor Plan. Mr. Glowacki recused himself from this matter and left the room. Ms. Gibson provided background information, noting the issue before the Board is whether to proceed with a state or local harbor plan. Marine Superintendent Dave Fronzuto referenced the 1993 Harbor Plan and spoke to the recommendation for local control for the downtown waterfront overlay district with the consideration that Urban Harbors Institute staff would facilitate and implement the plan to assure that all local entities are working in conjunction to meet goals and objectives of the Board and the public. Ms. Gibson indicated that some components of the local plan may be approved by the state. Discussion followed on the differences between the two types of plans and the respective costs. Discussion continued on the pros of a state plan. Dan Hellin of UHI spoke to state plans in general and situations when these are best employed, noting key differences between this and the local option. Mr. Chadwick spoke to supporting the staff recommendation for the local plan. Mr. Kopko stated that the "state plan would be tighter" and would take longer. Mr. Fronzuto emphasized that no wrong choice exists. Mr. Kopko moved to go forward with a state harbor plan. Chairman Willauer seconded. On the motion to have the Town adopt the state harbor plan, Mr. Kopko and Chairman Willauer voted in favor. Mr. Chadwick and Mr. Bennett voted in opposition. Dan Drake, of the Nantucket Shellfish Association, noted his group recommended state approval for reasons of accountability as the "1993 plan has been ineffective." Mr. Kopko moved to continue the matter to April 19, 2006. Chairman Willauer seconded. Voting in favor were Mr. Kopko, Mr. Bennett and Chairman Willauer. Mr. Chadwick was opposed. Mr. Glowacki rejoined the Board.

Town Administrator's Report.

Space Needs Planning. Ms. Gibson gave an update of the 2 Fairgrounds Road property, feasible use of the existing facility, and Town-wide long-term space needs planning. Discussion followed on the "purchase of the 2 Fairgrounds site for general municipal purposes" and the suburban "feel" of that site. Ms. Gibson noted new developments since presentation of the previous plan and indicated that she would proceed to move forward with the design plans for a joint public safety facility with police and fire departments unless there are objections from the Board. None were expressed. Ms. Gibson noted funding is in place for design of a public safety facility at 2 Fairgrounds Road. Ms. Silverstein and Frank Spriggs shared opinions. Chief Pittman noted the square footage requirements for lock up standards, which is not readily available downtown. The question on the possibility of moving the court facility was raised as well as the absence of funds to do so. Ms. Gibson noted that she would prepare more information on expansion of the Town Building at 16 Broad Street for a future Board of Selectmen meeting.

Selectmen's Reports/Comments. (continued)

Committee Review Process. Mr. Chadwick asked for and received Board consent to meet for a morning workshop on April 18, 2006 at 9:00 AM to review the results of the committee review process, including a timeline for adoption of the outcome on April 26, 2006.

Request for Approval of Beano Application. Mr. Chadwick introduced a Junior Miss Scholarship Program item and moved that the Board approve a Beano application for that group so the fundraiser can proceed on May 5, 2006. Mr. Kopko seconded. So voted unanimously.

Review of Taxi Regulations. Mr. Glowacki suggested creation of a taxi regulations review committee and submission of a timeline for same. Ms. Gibson indicated that she would be convening an administrative workgroup to present proposed amendments to the taxi regulations within the next several weeks.

The meeting adjourned at 9:04 PM.

Approved the 3<sup>rd</sup> day of May 2006.